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**37 CFR 1.7(c) FILING RECEIPT AND
TRANSMITTAL LETTER WITH
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Neifeld Docket No.: EJOU0010U/US

Client Ref.: Unknown

US/PCT Application/Patent No.: 09/513,960

US/PCT File/Issue Date: 2/28/2000

Priority Data:

USPTO Confirmation No.: 9067

Inventor: Joel F. Plotkin


Title: A Process for Computer Implemented Manuscript Review

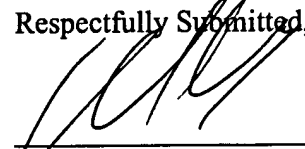
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37 CFR 1.7 (c) Filing Receipt and Transmittal Letter with Authorization to Charge Deposit Account (1
Page, In Duplicate)
37 CFR 41.41 Reply Brief (13 Pages)

The Commissioner is hereby authorized to charge any fees which may be required, or
credit any overpayment, to Deposit Account Number 50-2106. A duplicate copy of this sheet
is enclosed.

Respectfully Submitted,


DATE


Richard A. Neifeld
Registration No. 35,299
Attorney of Record

	PcLaw Matter	Lawyer	Amount	Explanation	Date Entered	Initials
Fees:						
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Disbursements:	PcLaw Matter	G/L Account	Amount	Explanation	Date Entered	Initials
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NEUFELD DOCKET NO: EJOU0010U/US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Joel F. PLOTKIN CONF. NO: 9067

GROUP ART UNIT: 3629

SERIAL NO: 09/513,960

FILED: February 28, 2000

EXAMINER: Borissov

FOR: A Process for Computer Implemented Manuscript Review

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22213-1450

37 CFR 41.41 REPLY BRIEF

Sir:

In response to the examiner's answer mailed 6/6/2006, and pursuant to 37 CFR 41.41,
please consider this reply brief.

I. The Panel Should Reverse the Rejections that the Examiner has Conceded were Improper

The examiner conceded that (1) the rejections of claims 29, 30, and 32-34 under 35 USC 112, first paragraph and (2) the rejections of claims 1-2, 4-10, 21-25, and 29-30 under 35 USC 101 could not be sustained. Answer page 3 lines 1-6. Accordingly, the appellant requests that panel enter a decision that those rejections are reversed.

II. The Examiner's Assertions that Plantz Discloses a Computer Implemented Manuscript Review and Determination Process Including a Step of "prompting a potential reviewer for agreement to review said manuscript" is Incorrect

The examiner still argues that Plantz teaches the claimed "computer implemented manuscript review and determination process" including the step of "prompting a potential reviewer for agreement to review said manuscript". However, instead of relying upon only Plantz column 8 lines 20-30 as in the final office actions, the examiner now also relies upon Plantz column 8 line 64 (answer page 3 line 26) and, in answer section 10 entitled "Response to Argument", also upon Plantz column 1 lines 10-15, column 5 lines 1-9, column 9 lines 58-63, column 8 lines 54-67, and column 8 lines 27-30. None of those passages supports the examiner's contentions, as indicated below.

In response, the appellant notes that Plantz is directed to computer implemented group authorizing. Plantz does not disclose the concept of peer review, in which the person asked to review has no obligation to do so. Thus, Plantz misses the boat on how to implement the novel peer review oriented computer implemented invention disclosed in this application.

The sentence spanning Plantz column 8 line 64 states that:

Because the author or editor may be authorized to work on multiple sections, subtopics or books, or because new authors or editors may need to determine whether there are books, topics, subtopics or sections of a group publishing project for which an assignment of author or editor has yet to be made, at this level, a display 133 of all available subtopics may be selected in order of the

e-mail address of the author or editor assigned to the subtopic.

That passages does not disclose or suggest of "prompting a potential reviewer for agreement to review said manuscript".

Plantz column 1 lines 10-15 states that:

The present invention is a Group Publishing System (GPS) for permitting coordinated or simultaneous publishing, assembly and administration of texts by an unlimited number of authors or editors, each of whom may perform word processing, document assembly and editing functions on the same or different portions of a group authored project. Each user of the system also has the capability of communicating with any other user of the system working on the same project.

That passages does not disclose or suggest of "prompting a potential reviewer for agreement to review said manuscript".

The two paragraphs spanning Plantz column 5 lines 1-9 state that:

The present invention relates to a computer-based Group Publishing System (GPS) for enhancing collaboration between and among individuals who may be separated by distance and/or time. Principal among the goals of this invention is to facilitate, in a desktop computing environment, through the Internet or other networked computing environment, a jointly authored and edited project. Multiple users can simultaneously work on the same project.

It is therefore an object of the present invention to provide a joint information processing system that includes an unlimited number of terminals capable of facilitating the joining of a member in and withdrawal of a member from a joint publishing project.

That passages does not disclose or suggest of "prompting a potential reviewer for agreement to review said manuscript".

Plantz column 9 lines 58-63 is part of a long run on sentence. Plantz column 9 lines 55-65 state that:

...172 displays the date on which the document was finally completed; 173, 174, 175, 176 are displays of the completion date of assigned aspects of the editing tasks associated with the document completion (for example, for a medically related document, these sections might include editorial signoffs by medical, pharmaceutical, grammatical and other experts, as well as signoff, for example, by an executive editor.; editorial titles, naturally, vary with the project); 177 provides a link to one or more particularly desirable databases or search engines (for example, for a medically related document, having a live link to a Medline Search engine at this point is preferred; see FIG. 8 for one embodiment of the layout of these GPS functions).

That passages does not disclose or suggest of "prompting a potential reviewer for agreement to review said manuscript".

The sentences spanning Plantz column 8 lines 54-67 read as follows:

Once the appropriate subtopic has been selected 111 or a menu of search results is returned from execution of an appropriate search 116, the user who is an editor or author of a certain document selects 120 the section, subtopic or book on which he or she is working. Upon selection of the document, the user is prompted by an updated display 130 to select whether he/she is an author 131 or editor 132 of an already authored document. Because the author or editor may be authorized to work on multiple sections, subtopics or books, or because new authors or editors may need to determine whether there are books, topics, subtopics or sections of a group publishing project for which an assignment of author or editor has yet to be made, at this level, a display 133 of all available subtopics may be selected in order of the e-mail address of the author or editor assigned to the subtopic. Alternatively, a display according to subtopic name 134 may be selected, with an associated e-mail links to the assigned author(s) or editor(s) for the subtopic.

This section discloses (1) that "the author or editor may be authorized to work on multiple sections, subtopics or books" and (2) that in some cases "an assignment of author or editor has

yet to be made" This section discloses that the author or editor is assigned, which (1) does not disclose or suggest "prompting a potential reviewer for agreement to review said manuscript". and in fact teaches assignment, and therefore teaches away from the reviewer choice implied by the recitation ""prompting a potential reviewer for agreement to review...."

The examiner relies upon Plantz column 8 lines 27-30, the sentence at which reads as follows.

For example, in-person, telephonic, facsimile, standard mail, e-mail or like communication between the GPS project manager and the author or editor allows for convenient authorization of usernames and passwords.

Authorization of user names and passwords does not disclose or suggest of "prompting a potential reviewer for agreement to review said manuscript".

Finally, at answer page 10 lines 24-26, the examiner equates a user ID of a potential editor with "agreement data" to agree to review a particular manuscript. Having or accepting a user ID does not disclose or suggest "prompting a potential reviewer for agreement to review...." any particular manuscript.

III. The Examiner's Assertions that Plantz Discloses a Computer Implemented Manuscript Review and Determination Process Including a Step of "storing agreement data" Whether to Review a Manuscript Is Incorrect

Preliminarily, the appellant notes that the examiner assertion at answer page 9 lines 15-17 that the examiner relied in the office action on Hagar to disclose "storing agreement data" is inaccurate. In fact, in the office action, the examiner relied upon Plantz and only Plantz (column 8, lines 20-30, 59-67; column 10, lines 1-13) for disclosing storing agreement data, and relied upon Hagar only to disclose storing a decision whether to publish. Office action mailed 12/16/2004 page 10 lines 2-21.

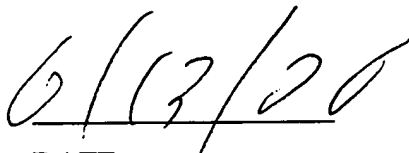
Now, the examiner states that Hagar discloses claim 1's "storing agreement data" whether to publish a manuscript. However, claim 1 reads in pertinent part "A computer implemented manuscript review and determination process, comprising: prompting a potential reviewer for agreement to review said manuscript; storing agreement data received from said potential

reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript." Claim 1 therefore requires storing agreement data including either agreement to review or disagreement to review the manuscript. That is not what Hagar discloses.

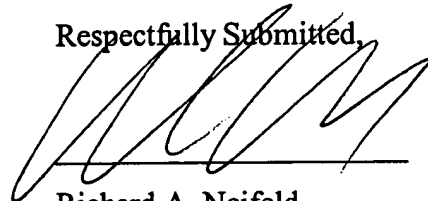
In fact, it is evident from the passages quoted by the examiner in the answer that what Hagar discloses is a decision whether to publish or not publish, in contrast to claim 1's agreement from a potential review whether to review a manuscript. See the statement in the answer at page 9 lines 19-21 quoting or paraphrasing Hagar that "the evaluator .. may indicate that the invention disclosure should be published or closed...." Publication, and a decision whether to review, are distinct concepts. Hagar does not disclose the latter.

IV. The Examiner's Remaining Arguments

Answer page 10 et seq. address dependent claim features, and rely upon the improper reasoning regarding claim 1. Accordingly, for at least that reason, those arguments are improper. In sum, the appellant believes that all rejections were improper and should now be reversed.


DATE

Respectfully Submitted,



Richard A. Neifeld

Registration No. 35,299

Attorney of Record

RAN

Date/time code: June 13, 2006 (3:44pm)

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Appendix I

Claim 1: A computer implemented manuscript review and determination process, comprising:
receiving manuscript data defining a manuscript including at least one of text data, audio data, and video data;
prompting a potential reviewer for agreement to review said manuscript;
storing agreement data received from said potential reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript; and
storing a decision whether to publish.

Claim 2: The computer implemented method according to claim 1, further comprising
transmitting a signal prompting an additional potential reviewer for agreement to review said manuscript based on stored agreement data from at least one potential reviewer.

Claim 3 (canceled)

Claim 4: The computer implemented method according to claim 1, further comprising storing
data indicating an identification of an associate editor for said manuscript in association with said manuscript data.

Claim 5: The computer implemented method according to claim 4, further comprising storing at
least one date on which said associate editor performs at least one of assigning a potential reviewer and entering manuscript approval status data.

Claim 6: The computer implemented method according to claim 1, further comprising storing a
date on which at least one of receiving said manuscript, prompting a potential reviewer, and receiving agreement data occurs.

Claim 7: The computer implemented method according to claim 1, further comprising

transmitting a manuscript review instruction to reviewer.

Claim 8: The computer implemented method according to claim 1, further comprising authorizing transmission of said manuscript to at least one of associate editors of said manuscript, potential reviewers of said manuscript, and reviewers of said manuscript.

Claim 9: The computer implemented method according to claim 8, wherein said authorizing transmission comprises storing, in association with said unique identification, at least one of an identification of an associate editor, a potential reviewer, and a reviewer.

Claim 10: The computer implemented method according to claim 8, wherein said authorizing transmission comprises storing, in association with said unique identification, an identification of an associate editor and a reviewer.

Claim 11: A computer implemented manuscript review and determination system, comprising:
means for receiving manuscript data defining a manuscript including at least one of text data, audio data, and video data;
means for prompting a potential reviewer for agreement to review said manuscript;
means for storing agreement data received from said potential reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript;
and
means for storing a decision whether to publish.

Claim 12: The computer implemented system according to claim 11, further comprising means for transmitting a signal prompting an additional potential reviewer for agreement to review said manuscript.

Claim 13 (Canceled)

Claim 14: The computer implemented system according to claim 11, further comprising means for storing data indicating an identification of an associate editor for said manuscript in association with said manuscript data.

Claim 15: The computer implemented system according to claim 14, further comprising means for storing at least one date on which said associate editor preforms at least one of assigning a potential reviewer and entering manuscript approval status data.

Claim 16: The computer implemented system according to claim 11, further comprising means for storing a date on which at least one of receiving said manuscript, prompting a potential reviewer, and receiving agreement data occurs.

Claim 17: The computer implemented system according to claim 11, further comprising means for transmitting a manuscript review instruction to a reviewer.

Claim 18: The computer implemented system according to claim 11, further comprising means for authorizing transmission of said manuscript to at least one of associate editors of said manuscript, potential reviewers of said manuscript, and reviewers of said manuscript.

Claim 19: The computer implemented system according to claim 18, wherein means for authorizing comprises means for storing, in association with said unique identification , at least one of an identification of an associate editor, a potential reviewer, and a reviewer.

Claim 20: A computer program product embodied on a computer readable medium for implementing a manuscript review and determination process on a computer, said program comprising instructions for:

- receiving manuscript data defining a manuscript including at least one of text data, audio data, and video data;

- prompting a potential reviewer for agreement to review said manuscript;

storing agreement data received from said potential reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript; and storing a decision whether to publish.

Claim 21: The computer implemented process according to claim 1, wherein the decision for publishing is a final decision and the manuscript can be published either in print, or in electronic form.

Claim 22: The computer implemented process according to claim 1, further comprising:
correlating the decision for publishing about said manuscript from different potential reviewers and achieving a final decision; and
storing the final decision for publishing in a database.

Claim 23: The computer implemented process according to claim 1, further comprising:
tracking said manuscript and storing said tracking information in a database; and
sending a message upon completing a status check that includes whether a set of anticipated events, including receipt of a number of reviewers reviews and editors actions, occurred in a predetermined period of time.

Claim 24: The computer implemented process according to claim 22, wherein said final decision for publishing is made by a majority tallying of the individual reviews, if all reviewers indicate said manuscript should be published, said manuscript is automatically sent to a printing queue or printing facility.

Claim 25: The process of claim 1 further comprising transmitting a signal prompting an additional potential reviewer for agreement to review said manuscript if said potential reviewer disagrees to review said manuscript.

Claim 26: The process of claim 1 wherein receiving manuscript data comprises receiving at a

central computer manuscript data defining a completed manuscript transmitted from a remote terminal associated with an author; and

said prompting a potential reviewer for agreement to review said manuscript comprises transmitting prompt data to a remote terminal associated with said potential reviewer after receiving manuscript data defining a completed manuscript.

Claim 27: The process of claim 1 wherein receiving manuscript data comprises receiving at a central computer manuscript data defining a completed manuscript transmitted from a remote terminal associated with an author; and

in response to receiving said completed manuscript at said central computer automatically prompting a potential reviewer for agreement to review said completed manuscript.

Claim 28: The process of claim 1 wherein receiving manuscript data comprises receiving at a central computer manuscript data defining a completed manuscript transmitted from a remote terminal associated with an author; and

in response to receiving at said central computer system a signal indicating that a first potential reviewer disagrees to review said manuscript, generating at said central computer and transmitting to a second potential reviewer at a remote terminal a request prompting said second potential reviewer to review said complete manuscript.

Claim 29: The process of claim 1 further comprising storing data indicating an identification of a first associate editor for said manuscript in association with said manuscript data and an identification of an editor, wherein said editor has rights to assign at least one second associate editor for said manuscript and said first associate editor does not have rights to assign any associate editor for said manuscript.

Claim 30: The process of claim 1, further comprising:

storing data indicating an identification of a first associate editor for said manuscript in association with said manuscript data;

storing data indicating an identity of an editor;

wherein said associate editor has less rights relating to said manuscript than said editor.

Claim 31: A computer implemented manuscript review and determination process, comprising:

receiving at a central computer manuscript data from a remote terminal associated with an author, said manuscript data defining a complete manuscript including at least one of text data, audio data, and video data;

generating at said central computer a request to review prompt for prompting a potential reviewer for agreement to review said manuscript;

transmitting said request to review prompt to a remote terminal associated with said potential reviewer;

storing in a database controlled by said central computer agreement data received from said potential reviewer at said central computer, said agreement data including at least one of agreement to review and disagreement to review said manuscript; and

storing a decision whether to publish said manuscript.

Claim 32: The method of 31 further comprising storing at said central computer different rights relating to a manuscript for users defined as author, editor, associate editor, and reviewer.

Claim 33: The method of claim 32 further comprising configuring said central computer wherein a user defined as an author of said manuscript has rights to get status information relating to said manuscript, a user defined as an editor has rights to assign associate editors to said manuscript, assign reviewers to said manuscript, view, authorize publication, and get status information for said manuscript, a user defined as an associate editor for said manuscript has rights to assign reviewers to said manuscript, view, authorize publication, and get status information for said manuscript and does not have rights to assign additional associate editors to said manuscript, a user defined as a reviewer of a manuscript has rights to indicate whether said manuscript should be published, and get status information on said manuscript.

Claim 34: The method of claim 31 further comprising storing at said central computer different rights relating to a manuscript for users defined as author editor, associate editor, reviewer, and staff member.

RAN

Date/time code: June 13, 2006 (3:44pm)

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